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BINGHAM MCCUTCHEN LLP
2020 K Street, N.W.
Intellectual Property Department
WASHINGTON DC 20006

In re Application of
Molesky
Application No. 09/829,903
Filed: April 11, 2001
Attorney Docket No. 50277-1004

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OFFICE OF PETITIONS

: DECISION ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed January 9, 2008, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned September 2, 2007 for failure to timely pay the issue as required by the Notice of Allowance and Fee(s) Due, mailed June 1, 2007. The Notice of Allowance and Fee(s) Due set a three month statutory period of time for reply. Notice of Abandonment was mailed September 24, 2007

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied the reply in the form of issue fee payment, the required petition fee; and an adequate statement of unintentional delay.

Petitioner is advised that 37 CFR 1.137(b)(3) requires a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." Since the statement appearing in the petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the required statement. Petitioner must notify the Office if this is **not** a correct reading of the statement appearing in the petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3205.

This application is being referred to Publishing Division for processing into a patent.


Alesia M. Brown
Petitions Attorney
Office of Petitions